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UNITED STATES SKI &  
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12 **[Additional attorneys listed on  
signature page]**

13  
14 **UNITED STATES DISTRICT COURT**  
15 **CENTRAL DISTRICT OF CALIFORNIA**

16  
17 ROSEY FLETCHER, ERIN O'MALLEY,  
AND CALLAN CHYTHLOOK-SIFSOF,

18 Plaintiffs,

19  
20 v.

21 PETER FOLEY, GALE "TIGER" SHAW  
22 III, UNITED STATES SKI &  
SNOWBOARD, AND UNITED STATES  
23 OLYMPIC AND PARALYMPIC  
COMMITTEE,

24 Defendants.  
25  
26  
27  
28

Case No. 2:23-cv-00803-SPG-JPR

[Assigned to The Honorable Sherilyn  
Peace Garnett]

**REQUEST FOR JUDICIAL NOTICE  
IN SUPPORT OF DEFENDANTS  
PETER FOLEY, GALE "TIGER"  
SHAW III, AND UNITED STATES  
SKI AND SNOWBOARD'S  
NOTICES OF MOTION AND  
MOTIONS TO DISMISS  
COMPLAINT**

1 Defendants United States Ski & Snowboard, Peter Foley, and Gale “Tiger”  
 2 Shaw III respectfully request that the Court take judicial notice of Exhibit A attached  
 3 to this request.

4 Judicial notice of facts is proper where the facts “can be accurately and readily  
 5 determined from sources whose accuracy cannot reasonably be questioned.” Fed. R.  
 6 Evid. 201(b)(2). Courts may take judicial notice of matters of public record, as well as  
 7 documents made publicly available where there is no question as to their authenticity.  
 8 *Lee v. City of L.A.*, 250 F.3d 668, 688-90 (9th Cir. 2001). Specifically, a Court may  
 9 take judicial notice of records and reports of administrative bodies and governing  
 10 bodies for sports. *See Gardner v. Starkist Co.*, 418 F. Supp. 3d 443, 452 (N.D. Cal.  
 11 2019) (taking judicial notice of article from National Oceanic and Atmospheric  
 12 Administration); *Matthews v. Nat’l Football League Mgmt. Council*, 688 F.3d 1107,  
 13 1113 (9th Cir. 2012) (taking judicial notice of records of sporting events reflected on  
 14 National Football League’s webpage).

15 Here, Defendants ask the Court to take notice of records maintained and  
 16 published by the International Ski and Snowboard Federation (“FIS”) as “the  
 17 governing body of international skiing and snowboarding” and “[r]ecognized by the  
 18 International Olympic Committee.”<sup>1</sup> These are publicly available records and no party  
 19 can reasonably dispute their authenticity. These records are therefore subject to  
 20 judicial notice, and the Court may consider them in ruling on Defendants’ Motions to  
 21 Dismiss. Judicial notice is necessary in this instance to facilitate the Court’s  
 22 understanding of the relevant timeline of events alleged in the Complaint, and so as to  
 23 comprehensively consider the arguments raised in Defendants’ Motions to Dismiss.

24 Defendants therefore respectfully request that the Court take judicial notice of  
 25 the following:  
 26  
 27

28 <sup>1</sup> See <https://www.fis-ski.com/en/inside-fis/about-fis/general/facts-figures> (the “about FIS” page).

